

Thomas-Jensen Affirmation

Exhibit # 98

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

STATE OF NEW YORK; et al.,

Plaintiffs,

v.

DONALD TRUMP, in his official capacity as
President of the United States; et al.,

Defendants.

C.A. No. 1:25-cv-00039-JJM-PAS

DECLARATION OF DR. RUARRI JAMES DAY-STIRRAT

I, Dr. Ruarri James Day-Stirrat, declare as follows:

1. I am the Oregon State Geologist and the Executive Director of the Oregon Department of Geology and Mineral Industries (“DOGAMI”). I make this declaration from personal knowledge and the records of DOGAMI that are kept in the ordinary course of its business. I would testify to the following facts if called as a witness.
2. I am licensed in Oregon as a registered geologist and in Texas as a professional geologist. I earned a bachelor of science in geology from Cardiff University in 2001 and a doctor of philosophy in geosciences from Newcastle University in 2006. Prior to joining DOGAMI, I was a postdoctoral fellow at the University of Texas at Austin and later worked first as a research geologist and then as a senior specialist research geoscientist and the global subject matter expert for mineralogy at Shell International Exploration and Production, Inc. in Houston, Texas.
3. Among other things, DOGAMI develops maps, reports, and data to help Oregon manage mineral resources and prepare for natural hazards. Specifically, DOGAMI studies

hazards such as earthquakes, tsunamis, landslides, floods, and coastal erosion, as well as the vulnerability of Oregon communities to those hazards. This information is shared with state and local policy-makers for land use planning, facility siting, building code and zoning changes, and emergency planning.

4. A significant portion of DOGAMI's scientific work is supported by federal grants. DOGAMI has work ongoing under multiple current federal grants from federal agencies that include the Federal Emergency Management Agency, the Bureau of Land Management ("BLM"), the Department of Energy, National Oceanic and Atmospheric Administration ("NOAA") and the Department of the Interior [U.S. Geological Survey ("USGS")]. Federal grants support DOGAMI's ongoing work to map mineral resources, geohazards and assess risks, including tsunami risks, landslide risks, and post-wildfire debris flow risks.

5. DOGAMI's federal grants are funded under a reimbursement model. DOGAMI performs required work and requests a drawdown from the federal agency that issued the grant for the work performed. DOGAMI submits drawdown requests monthly for the work performed the previous month. Each of DOGAMI's grants is managed on one of multiple different web-based platforms. One of the platforms used, called ASAP.gov, hosts DOGAMI's current federal grants from BLM, NOAA, and USGS.

6. Last Monday, January 27, I became aware of a memo issued by the Acting Director of the Office of Management and Budget in the Executive Office of the President, Matthew J. Vaeth, with the subject line "Temporary Pause of Agency Grant, Loan, and Other Financial Assistance Programs" ("OMB Memo").

7. Following the issuance of the OMB Memo, DOGAMI attempted to access its federal grants on ASAP.gov and the other platforms on which its federal grant information is

hosted. Starting at 5pm January 28, USGS and NOAA grants hosted on ASAP.gov simply disappeared, as if those grants did not exist. BLM grants were still accessible. I have never seen this happen before and believe this is the result of the OMB Memo and Executive Order.

8. Several of DOGAMI's grants hosted on ASAP.gov reappeared on the ASAP.gov platform as of Friday, January 31. Three of DOGAMI's USGS grants have not reappeared on ASAP.gov and are, therefore, not accessible. The remaining balances on these three grants are collectively more than \$615,000.

15.073 - Earth Mapping Resources Initiative	G24AC00381
15.073 - Earth Mapping Resources Initiative	G24AC00418
15.073 - Earth Mapping Resources Initiative	G23AC00510

9. This disappearance of DOGAMI's grants from ASAP.gov caused confusion and concern within DOGAMI. Given that our grants are reimbursement grants, we could not and still cannot be sure those grants that disappeared from ASAP.gov will be funded as promised when the grants were awarded, even for work already performed.

10. An additional issue has arisen. One of DOGAMI's current grants with USGS funds landslide hazard mapping in a rural area of Oregon. The grant is in the working period, meaning that a portion of the work under the grant has been performed and USGS has funded part of the work to date. The remaining balance after a 1/27/2025 draw date is \$63,425. However, last week, DOGAMI received a demand from USGS that DOGAMI resubmit its grant application without the following reference that was included in the original application: "The Center for Disease Control's 2022 Social Vulnerability study ranks areas on 15 social factors,

including socioeconomic status, unemployment, housing type, minority status, and disability.

The CDC/ATSDR Social Vulnerability Index 2022 shows a mixture of social vulnerability within the proposed study area ranging from lowest to moderate social vulnerability depending on the exact census tract (<https://www.atsdr.cdc.gov/placeandhealth/svi/index.html>). Regardless of the exact vulnerability scores, this area of Oregon is generally rural and projects in rural areas generally assist with diversity, equity, and inclusion.”

15.821 - Landslide Hazard Mapping and Assessment Program	G24AP00424
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11. USGS demanded that DOGAMI also submit a revised budget demonstrating how it will redirect granted funds to other activities that do not support diversity, equity, and inclusion. The clearly implied threat is that USGS will no longer follow through with its commitment to fund this grant if DOGAMI does not comply and submit the revised application and budget.

12. DOGAMI relies heavily on federal funding. If USGS (and any other federal agency) fails to fund the grants it has awarded to DOGAMI, DOGAMI will be unable to perform the important work it does to keep Oregonians safe from the hazards of landslides, tsunamis, and post-wildfire debris flows. These hazards risk the safety of security of Oregon communities and those who live in them. It is essential work to keep Oregon communities and those who live in and visit them safe.

13. An indeterminate pause in the funding of these studies, even a short-term pause, will be harmful. The inaccessible grants are related to mapping of critical minerals in Eastern Oregon. DOGAMI’s work is a step in the economic development of an agricultural region, and our activities help to advance the local and national interest. Additionally, highly trained

DOGAMI staff unable to work on grant-funded projects may leave the agency to seek other opportunities, or if this is a permanent loss of funding, the agency may need to reduce staff. Both outcomes result in the loss of valuable experience and irreplaceable technical expertise within the agency

I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 5, 2025, at 9 am Portland, Oregon.



DR. RUARRI JAMES DAY-STIRRAT